

## **REMARKS**

Claims 1-20 are pending in the application.

### **Drawing Amendments**

Applicant has enclosed Replacement drawing sheets for Figures 1, 2, and 3. Figure 1 has been amended to add element 100 referenced in the specification on page 5, line 1. Figure 2 has been amended to add element 212 referenced in the specification on page 6, line 17. The specification has been amended to delete the reference to element 308 on page 8, lines 12-13. Page 8, line 12 and line 16 have been amended to clarify the references to software applications “302, 304 and 306.” Element 170 has been deleted from Figure 1. Figure 3 has been amended to delete element 300.

### **Specification**

The specification is objected to because of various informalities and has been amended in accordance with Examiners suggestions to overcome this objection.

### **Claim Rejections – 35 U.S.C. § 112**

Claims 1-19 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Claims 1-19 have been amended to correct the informalities identified by Examiner. It is, therefore, respectfully submitted that the rejection of claims 1-20 under 35 U.S.C. §112 has been overcome.

### **Claim Rejections – 35 U.S.C. § 101**

Claims 1-7 are rejected under 35 U.S.C. § 101 because the claimed invention is directed to non-statutory subject matter. Independent claims 1, 8 and 15 have been amended to recite software “installation,” rather than software “dissemination.” It is respectfully submitted, therefore, that all of the pending claims recite statutory subject matter.

### **Double Patenting**

Claims 1, 2, 4, 5-8, 11-15, and 18-20 are provisionally rejected as unpatentable over claims 1, 4, 5-8, 11-15, and 18-20 of co-pending Application No. 10/657,989 in view of U.S. Patent No. 6,075,943 to Feinman (“Feinman”). Applicants respectfully traverse this rejection, but request that the response to this rejection be held in abeyance until Examiner has indicated allowable claims in the present application.

### **Claim Rejections – 35 U.S.C. § 102**

Claims 1, 3, 6, 8, 13, 15, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,991,543 to Amberg et al. (“Amberg”).

### **Claim Rejections – 35 U.S.C. § 103**

Claims 2, 5, 9, 10, 12, 16, 17, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman. Claims 4, 11, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman, and further in view of U.S. Patent No. 6,088,803 to Tso et al. (“Tso”). Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Amberg in view of Feinman and further in view of U.S. Patent No. 6,378,054 to Karasudani et al. (“Karasudani”).

### **Response to Rejection of Claims**

Examiner has rejected independent claims 1, 8, and 15 under 35 U.S.C. §102(b) as being anticipated by Amberg et al. Each of the aforementioned independent claims recite a system, method, or information handling system that comprises a repack and script regeneration server that disassembles a software application into a plurality of individual program files, generates an index of the individual program files and identifies and removes redundant program files. Examiner alleges that the Amberg reference teaches removal of redundant program files. For this proposition, Examiner cites column 2, lines 44-47 of Amberg. For convenience, the text of column 2, lines 40-47 of Amberg, which includes the text cited by Examiner, is set forth below:

A component descriptor corresponds to a respective component of the computer system. The method includes accessing a command within the step sequence; creating a file including a start of execution indication; executing the command; deleting the file including the start of execution indication when the command completes execution; and repeating the accessing, creating, executing and deleting for the plurality of steps.

Applicants are unable to discern any teaching in the aforementioned portion of Amberg that teaches the removal of redundant program files. Applicants submit, therefore, that Amberg fails to teach all of the limitations recited in independent claims 1, 8, and 15, and, therefore the rejection of these claims under 35 U.S.C. §102(b) should be removed and these claims should be passed to allowance. Applicants further submit that all pending dependent claims are allowable as being dependent on allowable base claims.

### **CONCLUSION**

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

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Respectfully submitted,

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